

In re Application of:

Furth et al.

Art Unit: 1636

Application No. 10/037.616

Examiner J. Ketter

Filed: January 2, 2002

For: TARGETING GENE EXPRESSION TO
LIVING TISSUE USING JET
INJECTION

SUBSTITUTE POWER OF ATTORNEY UNDER 37 CFR 3.71

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Government of the United States of America, represented by the Secretary, Department of Health and Human Services ("Assignee") is the assignee of the entire right, title, and interest in the above-identified U.S. patent application ("the application") as evidenced by an assignment recorded in the U.S. Patent and Trademark Office on March 31, 2000, at Reel 010721, Frame No. 0926. In accordance with 37 CFR 3.37(b), the undersigned certifies that the undersigned is authorized to act on behalf of the assignee, has reviewed all of the evidentiary documents accompanying or referred to in this Substitute Power of Attorney and, to the best of the undersigned's knowledge and belief, that title is in the Assignee.

The Assignee hereby revokes all previous powers of attorney and appoints the following as its attorneys to prosecute and transact all business in the U.S. Patent and Trademark Office connected with the application, including but not limited to the following: to receive all documents issued by the U.S. Patent and Trademark Office based thereon; to file continuation, continuation-in-part and divisional applications based thereon; to pay any and all fees, including maintenance fees for any resulting patent; and to file for reissues and extensions and to request reexamination of any resulting patent. All such powers are to be exercised separately or collectively.

Please recognize the National Institutes of Health, Office of Technology Transfer, as Principal Attorneys in this case: Customer Number 05318.

In re Appln. of Furth et al.
Application No. 10/037.616

05318

Please recognize Leydig, Voit, & Mayer, Ltd. as Associate Attorneys in this case: Customer Number 23460.

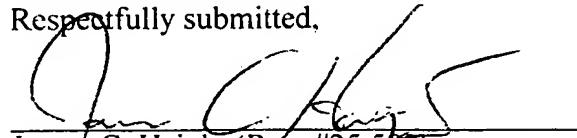
23460

The assignee requests that correspondence concerning this application be directed to Leydig, Voit & Mayer, Ltd.: Customer Number 23460.

23460

The assignee also requests that all telephone calls be directed to Leydig, Voit & Mayer, Ltd. at (312) 616-5600.

Respectfully submitted,



James C. Haight (Reg. #25,588)
Senior Patent Attorney
NIH Office of Technology Transfer
6011 Executive Blvd., Suite 325
Rockville, MD 20852-3804
(301) 435-5470

Date: September 23, 2003

NIH Revocation Ch. Haight (Revised 9/3/03)

DECLARATION, POWER OF ATTORNEY AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled

TARGETING GENE EXPRESSION TO LIVING TISSUE USING JET INJECTION

the specification of which
[X] is attached hereto

[] was filed on _____ as Application Serial No. 07/
_____ and was amended on _____. (if
applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

[Number]	[Country]	[Day/Month/Year filed]
_____	_____	_____
_____	_____	_____
_____	_____	_____

[]	[]
[]	[]
[]	[]
[]	[]

Yes No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

[Application Serial No.]

[Filing Date]

Status: patented, pending, abandoned]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) and/or agent(s): Reid G. Adler, Reg. No. 30,988; Robert Benson, Reg. No. 33,612; James C. Haight, Reg. No. 25,588; Marjorie D. Hunter, Reg. No. 30,560; Dante J. Picciano, Reg. No. 33,543; Gloria H. Richmond, Reg. No. 30,416; Susan S. Rucker, Reg. No. P35,762; David R. Sadowski, Reg. No. 32,808; Jack Spiegel, Reg. No. 34,477; Thomas G. Wiseman, Reg. No. P35,046; Denise C. Bernstein, Reg. No. P35,787; Allan M. Lowe, Reg. No. 19,641; Robert L. Price, Reg. No. 22,685; Robert E. LeBlanc, Reg. No. 17,219; Stephen A. Becker, Reg. No. 26,527; Henry Shur, Reg. No. 17,414; Israel Gopstein, Reg. No. 27,333; Benjamin J. Hauptman, Reg. No. 29,310; Donald C. Casey, Reg. No. 24,022; Kenneth E. Krosin, Reg. No. 25,735; Chittaranjan N. Nirmel, Reg. No. 30,408; Holly D. Kozlowski, Reg. No. 30,468; Michael J. Strauss, Reg. No. 32,443; Michael S. Gzybcowski, Reg. No. 32,816; Gene Z. Robinson, Reg. No. 33,351; Robert G. Lev, Reg. No. 30,220; J. G. Mullins, Reg. No. 33,073; Arthur P. Demers, Reg. No. 32,660; Edward J. Wise, Reg. No. 34,523; Christopher W. Brody, Reg. No. 33,613; and Keith E. George, Reg. No. 34,111, all of LOWE, PRICE, LEBLANC & BECKER, Suite 300, 99 Canal Center Plaza, Alexandria, Virginia 22314, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

Full name of sole or first inventor PRISCILLA ANNE FURTH, M.D.

Inventor's Signature Priscilla Anne Furth Date: MAY 21, 1992

Residence 8806 ALTAMONT LANE CHEVY CHASE, MD 20815

Citizenship U. S.

Post Office Address same as residence

Full name of second joint inventor, if any LOTHAR HENNIGHAUSEN

Inventor's Signature Lothar Hennighausen Date: 5/21/92

Residence 8806 ALTAMONT LANE, CHEVY CHASE, MD 20815

Citizenship U. S.

Post Office Address same as residence